



Judge Theresa L. Fricke

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DONALD LEE SCHNACKER,  
  
Defendant.

NO. MJ19-5184

MOTION FOR DETENTION ORDER

The United States moves for pretrial detention of the Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this case involves (check all that apply):

- ☒ Crime of violence (18 U.S.C. § 3156)
- ☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence of ten years or more
- ☐ Crime with a maximum sentence of life imprisonment or death
- ☐ Drug offense with a maximum sentence of ten years or more
- ☐ Felony offense and defendant has two prior convictions in the four categories above, or two State convictions that would otherwise fall within these four categories if federal jurisdiction had existed

- 1       — Felony offense involving a minor victim other than a crime of violence
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- 3       — Felony offense, other than a crime of violence, involving possession or use
- 4       of a firearm, destructive device (as those terms are defined in 18 U.S.C.
- 5       § 921), or any other dangerous weapon
- 6       — Felony offense other than a crime of violence that involves a failure to
- 7       register as a Sex Offender (18 U.S.C. § 2250)
- 8       — Serious risk the defendant will flee
- 9       — Serious risk of obstruction of justice, including intimidation of a
- 10      prospective witness or juror

11      2.    Reason for Detention. The Court should detain defendant because there are  
 12 no conditions of release which will reasonably assure (check one or both):

- 13       X   Defendant's appearance as required
- 14       X   Safety of any other person and the community

15      3.    Rebuttable Presumption. The United States will invoke the rebuttable  
 16 presumption against defendant under § 3142(e). The presumption applies because:  
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- 18       — Probable cause to believe defendant committed offense within five years of
- 19       release following conviction for a "qualifying offense" committed while on
- 20       pretrial release
- 21       — Probable cause to believe defendant committed drug offense with a
- 22       maximum sentence of ten years or more
- 23       — Probable cause to believe defendant committed a violation of one of the
- 24       following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or
- 25       kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)
- 26       X   Probable cause to believe defendant committed an offense involving a
- 27       victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,
- 28       2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
- 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425

1       4.     Time for Detention Hearing. The United States requests the Court conduct  
2 the detention hearing:

3       X     At the initial appearance

4       \_\_\_\_ After continuance of 3 days

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6       5.     Other matters.

7     DATED this 25<sup>th</sup> day of September, 2019.

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9                     Respectfully submitted,

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11                    United States Attorney

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